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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608.729	06/27/2003	Reinier Bezuidenhout	42933/264137	6933

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ALSTON & BIRD LLP
BANK OF AMERICA PLAZA
101 SOUTH TRYON STREET, SUITE 4000
CHARLOTTE, NC 28280-4000

EXAMINER
URICK, MATTHEW T

ART UNIT	PAPER NUMBER
2113	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

		Application No.	Applicant(s)
Office Action Summary		10/608,729	BEZUIDENHOUT, REINIER
		Examiner	Art Unit	
		Matt Urick	2113	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _01 June 2006_.

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-14 and 18-21_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-14 and 18-21_ is/are rejected.

7) ☒ Claim(s) _15-17_ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _4/11/05_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Final Rejection

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-14, and 18-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Rupp

(United States Patent No. 6,789,215).

As per claim 1, Rupp discloses:

A computer-implemented method of troubleshooting email gateway functionality with at

least two modes of operation comprising the steps of:

determining at least one setting of an email gateway (column 9 lines 10-12; the computer

may be an email server as described in column 4 lines 31-40);

accepting external information entered by an input device and related to troubleshooting

of the functionality of the email gateway (column 9 lines 7-15);

performing at least one troubleshooting routine in at least one of said modes to evaluate

the email gateway functionality (column 9 lines 21-33);

checking at least one setting of said email gateway based upon said external information

(column 9 lines 33-37); and

displaying information resulting from said checking of at least one setting (column 9

lines 33-37; information can also be displayed directly as disclosed in column 4 lines 63-65).

As per claim 2, Rupp discloses:

The method of troubleshooting email gateway functionality of claim 1, wherein said

external information is related to at least one of receiving mail, delivering mail, the direction of

mail (column 4 lines 31-40), a server address, and a domain address (column 3 lines 58-62).

As per claim 3, Rupp discloses:

The method of troubleshooting an email gateway functionality of claim 1, further

comprising the step of testing at least one function of said email gateway (column 4 lines 31-40).

As per claim 4, Rupp discloses:

The method of troubleshooting an email gateway functionality of claim 1, further

comprising the steps of:

determining at least one setting of a computer network interoperably connected to said

email gateway (column 4 lines 31-40); and

checking at least one setting of said computer network based upon said external

information or information resulting from said check of at least one email gateway setting

(column 9 lines 33-37).

As per claim 5, Rupp discloses:

A computer program product comprising a computer-useable medium having a computer-readable code embodied therein with at least two modes of operation for performing a method of troubleshooting the functionality of an email gateway by a user computer, said computer readable code comprising:

first computer-readable code configured to cause said user computer to effect determining at least one setting of said email gateway column 9 lines 10-12; the computer may be an email server as described in column 4 lines 31-40);

second computer-readable code configured to cause said user computer to effect accepting external information entered by an input device and related to troubleshooting of the functionality of the email gateway (column 9 lines 7-15);

third computer-readable code configured to cause said user computer to effect performing at least one troubleshooting routine in at least one of said modes to evaluate the email gateway functionality (column 9 lines 21-33);

fourth computer-readable code configured to cause said user computer to effect checking at least one setting of said email gateway based upon said external information (column 9 lines 33-37); and

fifth computer-readable code configured to cause said user computer to effect displaying at least one resulting information associated with said checking of at least one setting (column 9 lines 33-37).

As per claim 6, Rupp discloses:

The computer program product of claim 5, wherein said second computer readable code

is configured to cause said user computer to effect accepting external information related to at

least one of receiving mail, delivering mail, the direction of mail (column 4 lines 31-40), a server

address, and a domain address (column 3 lines 58-62)..

As per claim 7, Rupp discloses:

The computer program product of claim 5, further comprising:

sixth computer-readable code configured to cause said user computer to effect testing at

least one function of said email gateway (column 4 lines 31-40); and

seventh computer-readable code configured to cause said user computer to effect

displaying at least one resulting information associated with said testing of at last one function of

said email gateway (column 4 lines 58-65).

As per claim 8, Rupp discloses:

The computer program product of claim 7, further comprising:

eighth computer-readable code configured to cause said user computer to effect

determining at least one setting of a computer network interoperably connected to said email

gateway (column 4 lines 31-40); and

ninth computer-readable code configured to cause said user computer to effect checking

at least one setting of said computer network based upon said external information or resulting

information associated with said check of at least one setting (column 9 lines 33-37).

As per claim 9, Rupp discloses:

A computer system used to troubleshoot email gateway functionality comprising:

a processor, operative to determine, accept, check, and display data (column 5 lines 11-12);

a memory for storing data coupled to said processor (column 5 lines 12-13);

a display device coupled to said processor for displaying data (column 4 lines 63-65);

an input device coupled to said processor for entering external data and related to troubleshooting of the functionality of the email gateway (column 9 lines 7-15);

a computer-readable script with at least two modes of operation executable by said processor, the script capable of

determining at least one setting of an email gateway (column 9 lines 10-12; the computer may be an email server as described in column 4 lines 31-40),

accepting external data (column 9 lines 12-15),

performing at least one troubleshooting routine in at least one of said modes to evaluate the email gateway functionality (column 9 lines 21-33);

checking at least one email gateway setting based upon said external data (column 9 lines 33-37), and

displaying information resulting from said check of at least one email gateway setting (column 9 lines 33-37).

As per claim 10, Rupp discloses:

The computer system of claim 9, wherein said computer-readable script is further capable

of testing at least one function of said email gateway (column 4 lines 31-40).

As per claim 11, Rupp discloses:

The computer system of claim 9, wherein said computer-readable script is further capable

of:

determining at least one setting of a computer network interoperably connected to said

email gateway (column 4 lines 31-40); and

checking at least one setting of said computer network based upon said external data or

said information resulting from said check of at least one email gateway setting (column 9 lines

33-37).

As per claim 12, Rupp discloses:

An email gateway diagnostic tool for a computer system, the email gateway diagnostic

tool comprising:

a script with at least two modes of operation capable of interacting with a computer

system and a computer network (column 3 lines 63-64),

wherein said script includes routines in said modes and selects at least one routine in at

least one of said modes to collect and test the configuration of an email gateway of said

computer system and said computer network (column 4 lines 31-40).

As per claim 13, Rupp discloses:

The email gateway diagnostic tool of claim 12, wherein said routines collect and test the

configuration of said computer system and said computer network responsible for receiving and

delivering email (column 9 lines 33-37).

As per claim 14, Rupp discloses:

The email gateway diagnostic tool of claim 13, wherein said computer network is

interoperably connected to an email gateway (column 9 lines 33-37).

As per claim 18, Rupp discloses:

The email gateway diagnostic tool of claim 12, wherein said script queries said computer

system and said computer network for information to test the configuration of said computer

system and said computer network (column 9 lines 33-37).

As per claim 19, Rupp discloses:

The email gateway diagnostic tool of claim 12, wherein said computer network is

interoperably connected to a mail transfer agent (column 3 lines 45-50, wherein one of the

computers may be a mail server as described in column 9 lines 33-37).

As per claim 20, Rupp discloses:

The email gateway diagnostic tool of claim 19, wherein said script is written to collect

and test the configuration of said mail transport agent (column 3 lines 45-50, wherein one of the

computers may be a mail server as described in column 9 lines 33-37, and wherein the mail

server is the mail transport agent)

As per claim 21, Rupp discloses:

The email gateway diagnostic tool of claim 20, wherein said script provides feedback or possible solutions to problems based upon testing said configuration of said mail transport agent (column 8 lines 40-51).

Response to Arguments

Applicant's arguments filed 6/1/06 have been fully considered but they are not persuasive.

With regard to claim 1, applicant argues that Rupp does not disclose:

performing at least one troubleshooting routine in at least one of said modes to evaluate the email gateway functionality

Rupp discloses that a diagnostics manager performs a routine to evaluate which software packages are installed on a computer. This information is used to determine which software packages are installed, and which need to be installed (column 9 lines 21-33). This method may be performed on an email server if problems exist as a troubleshooting measure (column 4 lines 31-40).

Also with regard to claim 1, applicant argues that Rupp does not disclose:

accepting external information entered by an input device and related to troubleshooting

of the functionality of the email gateway

Rupp discloses that a user may select options for performing actions based on diagnostic

information (column 9 lines 7-15). This method may be performed on an email server if

problems exist as a troubleshooting measure (column 4 lines 31-40). Since the information may

be input externally by a user, with relation to the diagnosis of the email server, Rupp meets the

limitation "accepting external information entered by an input device and related to

troubleshooting of the functionality of the email gateway."

Also with regard to claim 1, applicant argues that Rupp does not disclose:

checking at least one setting of said email gateway based upon said external information

Rupp discloses that a diagnostics manager performs a routine to evaluate which software

packages are installed on a computer. This information is used to determine which software

packages are installed, and which need to be installed (column 9 lines 21-33). This method may

be performed on an email server if problems exist as a troubleshooting measure (column 4 lines

31-40).

Rupp discloses that the method is monitored by a monitoring manager, which checks to

see that each software package was properly installed or updated. The results of this monitoring

are also stored in a log file (column 9 lines 33-37). This is performed in response to the external

request by the user (column 9 lines 7-15).

With regard to claim 12, applicant argues that Rupp does not disclose "collecting and

testing configuration of an email gateway"

Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount

to a general allegation that the claims define a patentable invention without specifically

pointing out how the language of the claims patentably distinguishes them from the

references.

Rupp discloses that the system collects information to determine which software

packages are installed tests the email server for connectivity issues, and subsequently displays

the information to a user (column 4 lines 31-40).

Applicant's arguments, see with respect to claims 15-17 have been fully considered and

are persuasive. The rejection of claims 15-17 has been withdrawn.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Matt Urick whose telephone number is (571) 272-0805. The

examiner can normally be reached on 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Robert Beausoliel can be reached on (571) 272-3645. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ROBERT BEAUSOLIEL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100